

**Notice of Allowability**

Application No.

10/688,474

Examiner

James Keenan

Applicant(s)

CUROTTO ET AL.

Art Unit

3652

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment (RCE) filed 11/22/06.
2. ☒ The allowed claim(s) is/are 1-15, 20-26, 43-61, and 63-76.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

Art Unit: 3652

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gideon Gimlan on 12/20/06.

The application has been amended as follows:

in claim 48, line 15, "interposed" has been changed to --disposed--;

in claim 52, line 12, "toward curb heading but" has been deleted;

in claim 64, lines 1-2, "and further comprising" has been changed to --wherein said means for preventing comprises--;

and line 3, "(b)" has been changed to --(b.1)--;

in claim 67, line 3, "detachably attaches" has been changed to --is detachably attachable--;

in claim 68, line 13, "interposed" has been changed to --disposed--;

in claim 69, line 13, "interposed" has been changed to --disposed--;

and last line, "robot" has been changed to --robotic--;

in claim 70, line 10, --the total volume of-- has been inserted after "of" (first occurrence);

and line 12, "interposed" has been changed to --disposed--;

in claim 74, line 8, --total-- has been inserted before "refuse" (first occurrence);

and line 9, "interposed" has been changed to --disposed--;

in claim 75, line 15, "interposed" has been changed to --disposed--;  
and in claim 76, line 16, "interposed" has been changed to --disposed--.

2. The following is an examiner's statement of reasons for allowance: Independent claims 1, 13, 20, 22, and 26 were previously indicated as allowable for reasons apparent from the prosecution history. Independent claims 48, 68-70, and 74-76 are allowable for the recitation that at least a portion of the robotic arm mechanism is disposed between the total refuse storage element and a waste collection vehicle when the combination of the arm and storage element is supported by the vehicle. This defines over Zopf (US 5,607,277) and Christenson (US 5,938,394) because no portions of the robotic arms thereof are disposed between the **total** refuse storage element and the vehicle; rather, they are disposed between only a portion of the refuse storage element and the vehicle. This defines over Evans, Jr. (US 3,822,802) because the robotic arms thereof are never disposed **between** the refuse storage element and the vehicle; rather, they are disposed laterally outward of the boundary of the planes defined by extending the left, right, top, and bottom outer surfaces of the refuse container toward the vehicle.

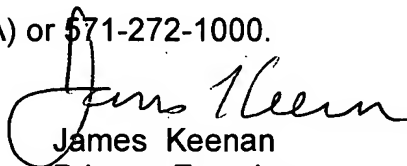
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Keenan whose telephone number is 571-272-6925. The examiner can normally be reached on (schedule varies).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
James Keenan  
Primary Examiner  
Art Unit 3652

jwk  
12/20/06